

JFW



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mohammad A. Kheiri

Serial No.: 10/776,109

Filed: February 11, 2004

Title: ENDCAP FOR LANCING DEVICE
AND METHOD OF USE

Attorney Docket: MSE-2666

Group Art: 3731

Examiner: Unknown

Confirmation No. 7460

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Mail Stop-Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING
37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Mail Stop-Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below:

8-23-04
Date

Janice Read
Signature Janice Read

Dear Commissioner:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the references listed on attached Form PTO/SB/08a (08-03) and Form PTO/SB/08b (08-03) be considered by the Examiner and made of record.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed as an admission that the information disclosed is, or is considered to be, prior art with respect to the present application or material to patentability as defined in 37 C.F.R. § 1.56.

In accordance with the waiver of 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, copies of the U.S. patents and patent applications listed on the accompanying Form PTO/SB/08a (08-03) are not enclosed. The cited references include those listed in the European Patent Search Report for the corresponding European application. Copies of the cited Foreign Patent Documents and Other Art are enclosed pursuant to 37 C.F.R. § 1.98(a)(2)(i).

The present Information Disclosure statement is being filed before receipt of the first Office Action for this application and is considered to be timely in accordance with 37 C.F.R. § 1.97(b). No fees are believed due in connection with the filing of this Information Disclosure Statement. The Commissioner is authorized to charge any fees while this application is pending (except the issue fee) to Bayer HealthCare LLC Account No. 13-3375(MSE-2666).

Date: 8/19/04

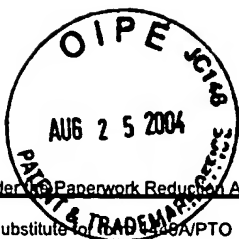
Respectfully submitted,



Alice A. Brewer
Reg. No. 32,888
Attorney for Applicant

Bayer HealthCare LLC
1884 Miles Avenue
P.O. Box 40
Elkhart, IN 46515-0040
Telephone: 574/264-8394
Facsimile: 574/262-7564

JR03104



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

Complete if Known

Application Number	10/776,109
Filing Date	February 11, 2004
First Named Inventor	Mohammad A. Kheiri
Art Unit	3731
Examiner Name	
Attorney Docket Number	MSE #2666

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US- 930,477	08/10/1909	W. H. Hudson	
	A2	US- 4,565,545	01/21/1986	Suzuki	
	A3	US- 4,967,763	11/06/1990	Nugent	
	A4	US- 5,116,353	05/26/1992	Green	
	A5	US- 5,324,303	06/28/1994	Strong et al.	
	A6	US- 5,353,806	10/11/1994	Heinzelman et al.	
	A7	US- 5,368,047	11/29/1994	Suzuki et al.	
	A8	US- 5,402,798	04/04/1995	Swierczek et al.	
	A9	US- 5,423,847	06/13/1995	Strong et al.	
	A10	US- 5,454,828	10/03/1995	Schrage	
	A11	US- 5,547,702	08/20/1996	Gleisner	
	A12	US- 5,552,117	09/03/1996	Burns	
	A13	US- 4,646,753	03/03/1987	Nugent	
	A14	US- 4,967,763	11/06/1990	Nugent et al.	
	A15	US- 5,569,286	10/29/1996	Peckham et al.	
	A16	US- 5,580,794	12/03/1996	Allen	
	A17	US- 5,628,764	05/13/1997	Schrage	
	A18	US- 5,709,699	01/20/1998	Warner	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	B1	EP 0 137 975 A2	04/24/1985	Becton Dickinson		X
	B2	EP 0 783 868 A1	07/16/1997	APLS Co. Ltd.		X
	B3	WO 01/28423 A2	04/26/2001	Gainor Medical		X
	B4	WO 01/95806 A2	12/20/2001	Inverness Medical		X

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO <h2 style="text-align: center; margin: 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; font-size: small;">(Use as many sheets as necessary)</p>		<h3 style="text-align: center; margin: 0;">Complete if Known</h3> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/776,109</td> </tr> <tr> <td>Filing Date</td> <td>February 11, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Mohammad A. Kheiri</td> </tr> <tr> <td>Art Unit</td> <td>3731</td> </tr> <tr> <td>Examiner Name</td> <td></td> </tr> <tr> <td>Attorney Docket Number</td> <td>MSE #2666</td> </tr> </table>		Application Number	10/776,109	Filing Date	February 11, 2004	First Named Inventor	Mohammad A. Kheiri	Art Unit	3731	Examiner Name		Attorney Docket Number	MSE #2666
Application Number	10/776,109														
Filing Date	February 11, 2004														
First Named Inventor	Mohammad A. Kheiri														
Art Unit	3731														
Examiner Name															
Attorney Docket Number	MSE #2666														
Sheet	2	of	4												

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A19	US- 5,730,753	03/24/1998	Morita	
	A20	US- 5,479,886	05/12/1998	Abidin et al.	
	A21	US- 5,797,942	08/25/1998	Schraga	
	A22	US- 5,837,546	11/17/1998	Allen et al.	
	A23	US- 5,872,713	02/16/1999	Douglas et al.	
	A24	US- 5,879,311	03/09/1999	Duchon et al.	
	A25	US- 5,879,367	03/09/1999	Latterell et al.	
	A26	US- 5,910,147	06/08/1999	Rosenberg et al.	
	A27	US- 5,916,230	06/29/1999	Brenneman et al.	
	A28	US- 5,951,493	09/14/1999	Douglas et al.	
	A29	US- 6,053,930	04/25/2000	Ruppert	
	A30	US- 6,056,765	05/02/2000	Bajaj et al.	
	A31	US- 6,071,249	06/06/2000	Cunningham et al.	
	A32	US- 6,071,250	06/06/2000	Douglas et al.	
	A33	US- 6,093,156	07/25/2000	Cunningham et al.	
	A34	US- 6,106,539	08/22/2000	Fortier	
	A35	US- 6,132,449	10/17/2000	Lum et al.	
	A36	US- 6,197,040	03/06/2001	LeVaughn et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3 of 4**Complete if Known**

Application Number	10/776,109
Filing Date	February 11, 2004
First Named Inventor	Mohammad A. Kheiri
Art Unit	3731
Examiner Name	
Attorney Docket Number	MSE #2666

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A37	US- 6,203,504	03/20/2001	Latterell et al.	
	A38	US- 6,210,420	04/03/2001	Mauze et al.	
	A39	US- 6,261,245	07/17/2001	Kawai et al.	
	A40	US- 6,283,982	09/04/2001	LeVaughn et al.	
	A41	US- 6,306,152	10/23/2001	Verdonk et al.	
	A42	US- 6,491,709	12/10/2001	Sharma et al.	
	A43	US- 2002/0016606	02/07/2002	Moerman	
	A44	US- 2002/0029058	03/07/2002	LeVaughn et al.	
	A45	US- 2002/0082521	06/27/2002	Sharma et al.	
	A46	US- 2002/0130042	09/19/2002	Moerman et al.	
	A47	US- 2002/0198444	12/26/2002	Uchigaki et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/776,109
				Filing Date	February 11, 2004
				First Named Inventor	Mohammad A. Kheiri
				Art Unit	3731
				Examiner Name	
				Attorney Docket Number	MSE #2666
Sheet	4	of	4		

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.